

REMARKS

Claims 1, 3, 4 and 12 are pending in this application. By this Amendment, claims 1 and 3 are amended. The amendment to claim 1 introduces no new matter as the subject matter is supported by at least claim 2 as originally filed and the depiction in at least Fig. 1. Claim 3 is amended to correct an informality. Claims 5-7 and 9-11 were previously provisionally withdrawn from consideration as drawn to a non-elected invention and are hereby canceled without prejudice to, or disclaimer of, the subject matter recited in those claims. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Knable in the November 29, 2004 telephone interview. Applicants' separate record of the substance of the interview is incorporated in the following remarks.

The Office Action, in paragraph 6, maintains the rejections of the previous Office Action of claims 1-4 under 35 U.S.C. §102(b) as being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over, U.S. Patent No. 4,279,683 to Landsness or German Patent No. DE 19831 747 A1 to Continental. The Office Action, in paragraph 7, maintains the rejection of the previous Office Action of claims 1 and 4 under 35 U.S.C. §102(b) as being anticipated by Japanese Patent No. JP 10-109506 to Sumitomo Rubber. The rejections are respectfully traversed.

Landsness discloses "A machine for winding a flat ribbon onto a tire carcass" (col. 4, lines 4-5) and "[a]n apparatus for applying a flexible rubber-like strip onto a green tire" (col. 4, lines 39-40).

Continental discloses a process "[t]o make tires in two stages with intermediate vulcanization. Tire carcass and partial belt pack are applied and vulcanized to a predetermined cross section with reinforcements, in a mold" (Abstract).

Sumitomo Rubber discloses a "manufacturing process of the tire using the staple-fiber orientation rubber sheet" that includes "turn[ing] up the winding section of a carcass 6, and form[ing] the direct cylinder-like 1st plastic solid 16" (Block 0044 and Fig. 3A).

Claim 1 recites, among other features, radially outwardly expanding a widthwise center portion of a substantially cylindrical carcass band; and winding and joining an unvulcanized rubber strip onto an outer peripheral surface of the expanded carcass band, thereby forming said tire constitutive member, wherein said strip has a cross-section that is determined depending on the shape of the tire constitutive member, and said strip is successively wound from a radially outer side to a radially inner side such that, for each turn, a previously wound strip is superimposed at least partially by a successively wound strip, so as to allow a resulting lamination to form the constitutive member.

Claim 1, therefore, is amended to incorporate the features of now canceled claim 2. Additionally, claim 1 is amended to recite that the successive winding of the rubber strip is performed from a radially outer side to a radially inner side of the tire. This amendment of claim 1 is supported by at least Fig. 1. Applicants respectfully submit that the successive winding of the rubber strip as recited in claim 1 provides significant advantage when the tire is deflected in use by, for example, effectively suppressing formation of cracks in the tire which tend to occur if the strip is wound from a radially inner side to a radially outer side of the tire. Applicants respectfully submit that none of Landsness, Continental or Sumitomo Rubber discloses, or even suggests, the winding of the rubber strip from a radially outer side to a radially inner side of the tire, nor do these references suggest the disadvantage enumerated above regarding the tendency of crack formation which would suggest modification of the processes disclosed in those references to that recited in at least independent claim 1.

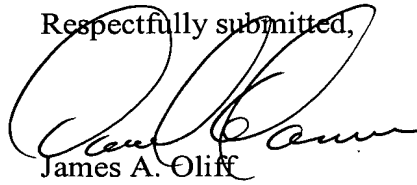
The above arguments were presented to Examiner Knable in the November 26 telephone interview. The Examiner indicated his belief that the amended claim language overcame the rejection of claim 1 as anticipated by Sumitomo Rubber. Examiner Knable explained that he would have to further consider the rejections over Landsness and Continental in light of the arguments that would be presented in the Amendment as filed.

The Office Action, in paragraphs 1 and 2 asserts that new claim 12 relates to a new grouping that is distinct from those previously claimed and therefore also from elected Group I. Specifically, the Office Action asserts that claim 12 is a combination rather than a linking claim. Applicants respectfully submit that claim 12 includes a combination of features so closely related to independent claim 1 that any search for the subject matter of at least independent claim 1 will necessarily include a search for the subject matter of claim 12. As such, Applicants respectfully submit that there is no additional burden on the Patent Office based on a search for the subject matter recited in claim 12.

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 3, 4 and 12 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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